

FORM PTO-1390 (Modified)
(REV. 01-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

821212-1010

U.S. APPLICATION NO. (IF KNOWN)

10/575155

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.

PCT/GB2004/004014

INTERNATIONAL FILING DATE

21 September 2004

PRIORITY DATE CLAIMED

6 October 2003

TITLE OF INVENTION

MAGNETIC TAGGING

APPLICANT(S) FOR DO/EO/US:

David Arnold, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). - *unsigned.*
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 13 to 23 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification for examination, including the claim set for examination.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 1.54(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. 10/575155		INTERNATIONAL APPLICATION NO. PCT/GB2004/004014		ATTORNEY'S DOCKET NO.: 821212-1010	
The following fees are submitted:				CALCULATIONS ONLY	PTO USE
21.	<input checked="" type="checkbox"/>	Basic national fee (37 CFR 1.492 (a)).....	\$300	\$300	
22.	<input checked="" type="checkbox"/>	Examination Fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$	
		All other situations.....	\$200	\$200	
23.	<input checked="" type="checkbox"/>	Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0	\$	
		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100	\$	
		International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....	\$400	\$400	
		All other situations.....	\$600	\$	
TOTAL OF 21, 22 and 23 =				\$900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821© or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50=		x\$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national state (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	27- 20 =	7	7 x \$50	\$350	
Independent claims	5- 3 =	2	2 x \$200	\$400	
Multiple Dependent Claims (check if applicable).			+ \$360	\$360	
TOTAL OF ABOVE CALCULATIONS =				\$2010	
<input checked="" type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$	
SUBTOTAL =				\$1005	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$1005	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property				\$	
TOTAL FEES INCLOSED =				\$1005	
				Amount to be: refunded	\$
				Amount to be charged	\$

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JAP20 Rec'd PCT/PTO 06 APR 2006

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 20-0778 in the amount of \$1005 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Todd Deveau
Thomas, Kayden, Horstemeyer
& RISLEY, L.L.P.
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339

Signature:

Name:

Todd Deveau

Registration Number:

29,526

Date: April 6, 2006

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: **Arnold, et al.**

AP20 Rec'd PCT/PTO 06 APR 2006

For: **Magnetic Tagging**

CERTIFICATE OF EXPRESS MAIL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard
Transmittal Letter to the US Designated Office (DO/EO/US)
Concerning a Filing Under 35 U.S.C. 371 (3 Pages)
Declaration (unexecuted)
Substitute Specification (26 pages)
Drawings (6 Sheets, Figs. 1-12b)
Information Disclosure Statement with cited references
Copy of PCT Publication No. WO 2005/040862 A1

Respectfully submitted,

Todd Deveau,



**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948

Our Docket No: **821212-1010**

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV696131678US**

Date:

April 6, 2006

By:


Cory Rose